

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

WILLIAM D. DAVIS,

Plaintiff,

v.

CIVIL ACTION NO. 2:07-cv-53

MICHAEL ASTRUE,
Commissioner of Social Security,

Defendant.

**ORDER GRANTING PLAINTIFF'S APPLICATION TO PROCEED IN FORMA
PAUPERIS**

On July 10, 2007, William D. Davis, ["Claimant"], filed a complaint for review of Defendant's denial of his application for Social Security benefits pursuant to 42 U.S.C. § 405(g) and 42 U.S.C. § 1383(c)(3), and an Application for Leave to Proceed in forma pauperis. Claimant's application reveals that he is not employed. Claimant has not received any income in the past twelve months from business, rent payments, interest, dividends, pensions, annuities, life insurance, disability, workers' compensation, gifts, or inheritance. Claimant's wife earns approximately \$950 per month and his son earns approximately \$623 per month. Claimant owns four older cars with a combined value of \$3,550. Claimant's wife and two children depend on him for support.

Accordingly, it is **ORDERED** that Claimant's July 9, 2007, Application to Proceed in forma pauperis is **GRANTED**. The Clerk of Court is directed to notify the United States Marshal Service who shall serve process pursuant to Federal Rule of Civil Procedure 4(c)(2). Any recovery in this action will be subject to payment of fees and costs, including service of process fees and the \$350.00 filing fee.

DATED: August 7, 2007

/s/ James E. Seibert
JAMES E. SEIBERT
UNITED STATES MAGISTRATE JUDGE